

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.3182 OF 2004

Brihanmumbai Municipal Corporation  
thru' the General Manager,  
BEST Undertaking

..Petitioner.

Vs.

Mr. Anil Laxman Karpe  
Respondent.

..

....

Mr. S.K. Talsania i/b M/s. Crawford Bayley & Co. for the petitioner.

Mr. M.R. Deshpande for the respondent.

Mr. Anil Laxman Karpe – respondent present.

....

**CORAM : DR.D.Y.CHANDRACHUD, J.**

**12<sup>th</sup> January, 2005.**

P.C. :

At the hearing of this Petition, the learned counsel appearing on behalf of the Respondent tenders an undertaking on behalf of the respondent, who is personally present in the Court, that the Respondent shall without prejudice to his rights and contentions in Application (BIR) No.48 of 2002 before the Labour Court, vacate and hand over peaceful possession of the staff quarters on or before 30<sup>th</sup> June, 2005. The Respondent further undertakes

through counsel that he shall not induct any third party and that he shall pay the arrears of rent, if any, within a period of 15 days from today and the month to month compensation as and when it falls due. The Undertaking is accepted. In the circumstances, in view of the undertaking which has been tendered on behalf of the Respondent, the impugned orders dated 12<sup>th</sup> December, 2002 of the Labour Court and 9<sup>th</sup> June, 2004 of the Industrial Court are quashed and set aside. The Petition is accordingly disposed of.